

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

AR BUTUS BIOPHARMA CORPORATION )  
and GENEVANT SCIENCES GMBH, )  
Plaintiffs, )  
v. ) C.A. No. 22-252 (JDW)  
MODERNA, INC. and MODERNATX, INC., )  
Defendants. )

**STIPULATION AND [PROPOSED] ORDER REGARDING  
SEALING MOTIONS**

WHEREAS, in view of the above-captioned case's recent reassignment, the parties met and conferred regarding this Court's general sealing procedures and the impact of those procedures on the parties' motions for summary judgment and to exclude expert evidence, which are due on July 25, 2025, *see* D.I. 485;

WHEREAS, in view of this Court's procedures concerning the filing of documents under seal and seeking leave to file under seal in conjunction with any such submissions, there is good cause to modify the procedures set forth in the parties' Stipulation Regarding Sealed Filings (D.I. 155) for the aforementioned motions and all filings related thereto; and

WHEREAS, this Court has previously adopted sealing procedures that permit service of motion papers prior to the filing deadline so that the parties may coordinate on any necessary motion to seal, *see, e.g.*, *PACT XPP Schweiz AG v. Intel Corp.*, C.A. No. 19-1006-JDW (D. Del.) at D.I. 269, 304, 338;

IT IS HEREBY STIPULATED by the parties, subject to the approval of the Court, that the parties shall serve upon one another by 5:00pm ET on July 25, 2025 the final versions of all papers associated with the aforementioned motions due on that date, and will confer in good faith

thereafter concerning whether there is any information for which one or both parties shall seek leave to file under seal and whether there is any information that can be excerpted to remove unnecessary confidential information; and

IT IS FURTHER STIPULATED that the parties shall file both sealed and redacted versions of their respective motion papers and any supporting motions to seal on July 31, 2025. The redacted versions of any papers shall include both parties' proposed redactions;

IT IS FURTHER STIPULATED that the party designating information as confidential shall be responsible for filing any motion to seal concerning that information, irrespective of which party's filings contains that information; and

IT IS FURTHER STIPULATED that after the initial service is made of the final version of the aforementioned motion papers, no changes can be made to any papers absent consent of the other party.

No other deadlines set forth in Docket Item 485 are altered by way of this Stipulation.

SHAW KELLER LLP

*/s/ Nathan R. Hoeschen*

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**SO ORDERED** this \_\_\_\_ day of \_\_\_\_\_ 2025.

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UNITED STATES DISTRICT JUDGE